

**RESOLUTION NO. \_\_\_\_\_**

**WHEREAS**, due to the drought the Lower Colorado River Authority (LCRA) requested and Texas Commission on Environmental Quality (TCEQ) approved an Emergency Order to manage Highland Lakes storage outside of the current Water Management Plan (WMP), and due to the dry conditions, this resulted in LCRA retaining water in the Highland Lakes that otherwise would have been released for interruptible customers downstream in 2012; and

**WHEREAS**, this Emergency Order will continue until the latter of: (a) the initial 120 day period allowed by Texas Water Code and any extension, (b) the termination of the Governor's Disaster Proclamation of the Exceptional Drought Conditions, (c) approval of WMP revisions pending at TCEQ if approved before December 31, 2012 or (d) December 31, 2012; and

**WHEREAS**, drought in central Texas persists in 2012 and lake levels have not recovered; and

**WHEREAS**, an El Niño wet weather pattern is not forming as predicted, the outlook is for drier conditions than previously forecast, and the State Climatologist, predicts there is a 60 percent chance of returning to a La Nina dry weather pattern by the fall of 2013; and

**WHEREAS**, the following information has been communicated by the LCRA:

- combined storage levels as of November 1, 2012 are 870,000 Acre Feet (AF) and falling, or 43 percent full; and

- from January 2012 through October 2012 Highland Lakes inflows were only 34.7 percent of average; and
- if water is released to interruptible customers under the current WMP, there is a 27 percent chance of reaching 600,000 AF of combined storage in lakes Travis and Buchanan by August 1, 2013 resulting in a 23 percent chance of meeting the criteria for an LCRA Board declaration of a drought worse than the drought of record by August 1, 2013, at which time a mandatory pro rata curtailment of at least 20 percent would be imposed on firm customers; and
- with a release to interruptible customers under the current WMP, if persistently dry conditions similar to 2011 occur, the lakes could be drained to a combined storage volume of below 400,000 AF (less than 20 percent full) as early as August 1, 2013; and

**WHEREAS**, because of low combined storage amounts currently in Lakes Travis and Buchanan, the City of Austin has implemented Stage 2 Drought restrictions, which includes limiting outdoor watering to one day a week and other restrictions; and

**WHEREAS**, the 1988 Adjudication Order states, “The supply of stored water pursuant to non-firm, interruptible commitments should be interrupted or curtailed to the extent necessary to allow LCRA to satisfy all existing and projected demands for stored water pursuant to all firm uninterruptible commitments;” and

**WHEREAS**, similar language is found in LCRA’s permits for Lake Travis and Lake Buchanan stating, “LCRA shall interrupt or curtail the

supply of water under this certificate....pursuant to commitments that are specifically subject to interruption or curtailment, to the extent necessary to allow LCRA to satisfy all demands for water under such certificates pursuant to all firm, uninterruptible commitments,” and

**WHEREAS**, an Emergency Order would curtail interruptible water supplies to a greater extent than LCRA’s current WMP; and

**WHEREAS**, more than a million people in the upper basin depend on Lakes Travis and Buchanan for drinking water and basic human needs including a population of over 900,000 served by Austin Water Utility;  
**NOW, THEREFORE,**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

That the City Council respectfully requests the LCRA Board to take action seeking an Emergency Order from TCEQ for 2013 to prudently protect public health and safety and drinking water supplies during the on-going drought.

**ADOPTED:** \_\_\_\_\_, 2012    **ATTEST :** \_\_\_\_\_  
Shirley A. Gentry  
City Clerk